Disability Visibility Podcast

Episode 90: Disabled Immigrants

Guest: Conchita Hernandez Legorreta

Host: Alice Wong

Transcript by Cheryl Green

For more information: DisabilityVisibilityProject.com/podcast

Introduction

[radio static, voices singing with hip-hop beat]

LATEEF MCLEOD: This is the *Disability Visibility Podcast* with your host, Alice Wong.

ALICE WONG: Hola! Welcome to the *Disability Visibility Podcast*, conversations on disability politics, culture, and media. I'm your host, Alice Wong.

Every political issue is a disability issue, and as the daughter of immigrants, I know that immigration is an important disability issue. Today, I get a chance to talk with Conchita Hernandez Legorreta about her experiences as a disabled immigrant. Conchita was born in Mexico and grew up in California. She advocates for the rights of blind children and their parents in public schools in the United States and abroad. Conchita is the founder and Chair of METAS, which stands for Mentoring Engaging and Teaching All Students, a non-profit organization that trains educators in Latin America that work with blind, low vision students, and other disabilities. She's also the co-founder of the National Coalition of Latinx with Disabilities that seeks to amplify the voices of disabled Latinx in the disability rights movement. Currently, Conchita works as a Blind and Low Vision Specialist for the State of Maryland. For more after this episode, check out another short interview I did with Conchita for the podcast about the 30th anniversary of the ADA, which is episode 82a. So. Much. Good. Stuff. Are you ready? [electronic beeping] Away we goooooo!

ELECTRONIC VOICE: 5, 4, 3, 2, 1.

ALICE: So, Conchita, thank you so much for joining me today.

CONCHITA HERNANDEZ LEGORRETA: Thank you so much for having me.

ALICE: So, why don't you introduce yourself and just share a little bit about yourself to the audience.

CONCHITA: So, I'm Conchita Hernandez. I currently live in D.C. I work for the Department of Education in Maryland around, I'm the State Blind and Low Vision Specialist. I grew up in California, born in Mexico. And I'm blind, and I do advocacy work and disability work and kind of a little bit of everything.

ALICE: And we're talking in June 2020 in the midst of the coronavirus pandemic and I just wanna ask how you and your family are doing so far.

CONCHITA: Yeah, it's definitely an interesting time. So, I'm good. I'm working from home. I live, like I said, in D.C., and I'm kind of by myself right now. My roommate is in California. So, it's a little challenging because I'm definitely an extrovert. And so, being home is not my ideal situation! But I'm healthy and stuff. So, it's, so I'm doing good and I'm working from home and I have a job. So, I've been good and kind of connecting with folks in a different way. I'm generally not the best at connecting with people, to tell you the truth. And so, I think this has really kinda made me do it because it's important to do and to stay connected. So, just kind of learning new things and trying out kind of what's going on. So, yeah.

[sweet, mellow music break]

Conchita's family's immigration story and early education

ALICE: So, do you mind sharing your family's immigration story?

CONCHITA: Yeah! So, something I wanted to kinda mention about was how disability and immigration go hand in hand, and I don't think people really think about it as kind of being similar. So, I was originally born in Mexico, and I'm part of five siblings. My brother's also blind, like myself. And originally, my parents were like, ''We're gonna go to the United States for a couple of months and check it out and see what it's like. And we're gonna come back.'' So, we had no intention of staying in the United States.

So, we came on a visa, and my parents definitely saw how different it was, especially for my brother and I, where we were able to get any type of services. You know, we were at the time, California had really good health—not really good, actually—but [laughs] they had insurance for undocumented children. So, I was able to take advantage of that and, my brother was as well. We were able to have IEPs, even though they, now that I know better, they were horrible. But I think my parents saw the difference of what being in the United States meant specifically to disability. And so, they did, so we decided to overstay our visas, and we became undocumented. And so, I was undocumented from when I got here, which I was about five years old, until right before college. So, I was like 18, almost 19.

ALICE: And for people who don't know what IEPs are, do you mind if you just explain what that is real quick?

CONCHITA: Yeah! So, an IEP is if you have a disability in school, you have the right to a free, appropriate public education. So, you have the right to be in school, to whatever it is that you need to be able to flourish in public education. So, depending on the disability, it can be a lot of different things. But it's a legal document, and that's something that my parents really didn't understand. And also, a lot of parents that don't speak English, it's not explained very well to them. So, my parents were grateful. They were like, ''Oh, this is so great that they're doing this for us,'' almost like a favor. And I'm like, no, no, no. It's not a favor that they're being nice to us. It's the law. It's a legal binding document. So, it's a really, really important thing that definitely makes this country unique from other countries, that we have access to that in public school. And that could, in itself, be a whole podcast. [laughs]

ALICE: Absolutely. So, when did you first realize you were undocumented?

CONCHITA: So, I feel like it's all kind of blended together. So, originally when we came to the United States, my parents didn't tell us the truth because they were scared that we were gonna say something as children. So, originally when we came, and we came on a visitor's visa, they told us we were going to Disneyland. And so, I was like, yes! This is like a five-year-old's dream. So, they had us dressed up and like Mickey Mouse ears and sweaters and stuff. And so, we

were ready for Disneyland. And then we got here, and it's like, yeah, we're not going to Disneyland! So, I think from that point on, it was kinda like, OK, there's some, you know, something's going on. And my family was very honest with us talking about it. We all knew it because it was just a part of our life. You know, it impacted every part of my parents being able to be employed, who you could be friends with. So, I think it was something where my parents talked about it openly with us and had very honest conversations. But it was also a conversation about don't tell anybody else.

So, while we talked about it, none of my friends knew about it or anybody in school. Just because you always have this fear that if somebody, if something happens or somebody gets upset with you or whatever, then they could use that against you. And it can really completely harm you and your family. So, it was definitely like this is something you know, and this is something you learn how to navigate the world. And then you learn also to keep it a secret.

ALICE: And keeping that secret and also clearly being in fear of discovered and the threat of deportation must have really shaped everything about how you navigate in the world. And how did that kinda shape you as a young person in terms of just doing a lotta emotional labor to really keep yourself and your family intact and safe?

CONCHITA: Yeah, I think there's, you know, there's so many different things that that involves. And I think one of them is, from a very young age, I understood that there was two worlds: that one of them was like the white, able-bodied, educated school world. And then there was a whole nother world of other people who had a very different reality with lived experience and with being the way you navigate the world. The town I grew up in in California, it's a very heavily-policed town. I think kind of bringing it back to things that are happening now, the police was never a sense of safety and a sense of community and whatever. It was always a sense of like very much panic. And in California and still to this day, depending on where you live, you can get pulled over by the police for having a broken headlight and be deported. So, it's definitely kind of learning how to deal with all of those things.

One of the things that also, to myself, so, I'm very light-skinned, I look white. And so, I think, in that sense, I learned how to navigate all of these worlds kind of differently. And because of that, I was kind of the spokesperson sometimes. Like if there had to be any type of encounter, it's like, ''Oh! OK, you go talk to them.'' And so, I had to learn how to, on the inside to be like, oh my God, what the heck's gonna happen?! But then on the outside be like, ''Hi! How can I help you?'' And kinda learn to navigate that world that was like white-speaking and able-bodied. At the time, I wasn't open with my disability. And so, it wasn't something that you could notice right away. So, it's kind of like learning how to navigate all those things as a child and learning how that impacts you. But also, I think it definitely made me have a sense of understanding injustice and definitely wanting to be a part of that change.

I always talk with some friends, and we were talking about what did we do in high school? Like what were you involved in? What it is that you were doing? And I was like, ''You know, in high school, my friends and I were planning walkouts for immigration reform! So, that's what I was doing,'' because I think we all kind of understood how it impacted. So, there's so many different ways of looking at that.

ALICE: Yeah. Thank you for that. And that's a huge responsibility placed on you, and I'm sure that this is very similar to what a lot of kids of immigrants, I mean, immigrants have to grow up so fast, you know, especially young people who just have to deal with all these situations.

CONCHITA: Yeah, absolutely. And I think, as children of immigrants and immigrants, we take a lot of roles on that other kids don't. One of them is translating for your parents. I didn't have good, like I mentioned, good IEP services or what I consider good quality teachers. I have a Master's now in being a teacher of blind students, and I'm getting a Doctorate in Special Education. And I'm in the educational world. That's what I do as a job. And so, I understand kind of where all the bad holes were. But one of the things was like, I was translating at my IEP meetings for my parents. And that's just not something a child should be doing when you're talking about something like a legal document that your parents should know about. Or doctors' offices, translating things that your parents need to be doing is just not something that a child should be doing.

[sweet, mellow music break]

Getting a green card

ALICE: What was it like for you to apply for a green card? Because, you know, what were the hurdles and also just the challenges? Because I think, as you mentioned earlier, people just assume it's a very smooth path. Like there's a linear path, right? And it's not really the truth. So, what was your, what did it take for you to be able to get your green card?

CONCHITA: Yeah. So, growing up, my parents were always kind of looking for the process to help. We had a lawyer we had for like ever who ended up scamming us and taking all this money, and we got nowhere. And so, my parents are divorced, and my dad married. And so, I was able to get a green card because I was right at the cutoff age for when my dad got married that I was able to get a green card. I have other siblings, and that was not the case for them. So, most people in this country that are undocumented we call like a mixed-status family. So, you have some family members that are documented and some that are not. So, that's the case with myself. So, it was a long, long, long process where, I was a minor at the time, so you go through an interview. They ask you all these questions and stuff. But just getting there felt like a lifetime.

There is millions of people in this country that are undocumented. And I feel like people think like, oh, well, why don't they just become documented? And people want to become documented! Nobody's like, ''Oh my God, I love the undocumented life, and this is what I want forever!'' People do it because there's no other choice. So, it's a very, very difficult process to go through.

ALICE: And what was life like in terms of your access to services and also opportunities once you got your green card, especially as a disabled person? Was there a huge difference?

CONCHITA: There was. It was a huge difference because I was able to go to college. So, I was right at the point in my senior year of college where I was undocumented, and I was, you know, I couldn't get FAFSA. I couldn't get any, I mean, you can't get any type of support. And so, I was in my senior in high school, and my counselors were like, ''Well, you know, you just can't get FAFSA, and you just can't do all these things.'' So, I was like, oh, my gosh. So, luckily for me, it was just like the universe worked in my favor, not to say that it doesn't work in other people's favors, 'cause I feel very lucky. But my senior year in high school, I finally got my status adjusted. And so, I ended up going to a really expensive private college because the application for that school was later on, and so I could apply. And so, that's how it changed for me.

My counselors never told me rehab existed.

ALICE: And when we're talking about rehab, we're talking about Vocational Rehabilitation services, which is a state program that's available across the country, correct?

CONCHITA: Yeah. Mmhmm. So, I never, I went all through undergrad not knowing a single thing about disability or that I could get services or anything like that. So, once I learned about rehab and services, that changed my life because then I was able to learn the things that I needed to do to live as a disabled person. Because I always say, I was living, like I was pretending I was able-bodied, but it was very, very difficult. 'Cause I would pretend that I could do things, but I didn't really know how to do them. And so, it was like this I'm gonna pretend to you that I'm able-bodied, but I don't even know how I'm doing it. And so, it wasn't a great situation. But having status allowed me to get rehab services and allowed me to get the training I needed. And that's what really changed my life.

[sweet, mellow music break]

How immigration is a disability issue

ALICE: In what ways is immigration a disability issue?

CONCHITA: Mmhmm. So, one of the ways is that, like my example, there's a lot of people who are here with disabilities through immigration. So, I have a friend who is from Sudan, and he's here due to immigration. He's a refugee ,and also he has a disability. And what people don't realize is there's a lot of countries that don't take people with disabilities. And so, in his particular case, his brother was sent to Australia first, and the idea was that the family would stay together. But Australia doesn't take people with disabilities that are refugees. And so, he ended up being separated from everybody else because they were like, ''You can't go.'' And so, he came to the United States and wasn't able to see them. Just disability and immigration are a part of kind of what have woven this country together. And they're a part of why a lot of families are here that couldn't go elsewhere. Disability is just such a part of the human experience and so is immigration. And so, the two kind of always, in my mind, have gone together 'cause it's been a part of my experience.

ALICE: Yeah. And I feel like one of the most explicit examples of this is the public charge rule. Because originally yes, disabled people were able to immigrate to the U.S., but with the public charge rule, people who are deemed who may need services, who may need entitlement programs can be excluded now under the public charge rule. And that's, yeah, that's pretty explicit in terms of just excluding disabled people as prospective immigrants.

CONCHITA: Yeah. And the thing about the public charge rule is, it's exactly what you said. You're excluding immigrants with disability from the opportunity of immigrating. That's what other countries were doing, and the U.S. was one of the few countries where that wasn't the case. And so, now it is. And so, under the public charge, there's specific programs that exclude you from adjusting your status. And they're like SSI, Medicare, food stamps, housing. And so, at this moment, there are immigrants in the United States who are going hungry because they may be able to adjust at a future time, and they don't want that, and they don't want them receiving food stamps as a reason why they're not able to adjust status. So, we're finding a lot of issues right now where immigrant families are making very difficult decisions. And how do you tell a family, ''No, no, no. Don't do that?'' But they're really doing it in the best way that they can. How do you...how do you measure what's more important: to eat today or to possibly, years in the future, be able to address immigration status? And so, those are the decisions people are making and that this administration is forcing people to make.

And for people with disabilities, you know, if you have a disability and you can't receive Medicare, you're in a really difficult position. And so, families are making that decision for their

children and saying, OK, fine, we will get something for you because you have a disability. But we know you're not gonna be able to adjust status. So, it's a very difficult position to be in.

[sweet, mellow music break]

Intersection of immigration, disability, racism, and xenophobia, and supporting undocumented immigrants

ALICE: So, speaking of this time period that we're living in, how have you personally dealt with just the racism and just xenophobia and relentless attack on immigrants, especially undocumented people, in the last few years under this administration, such as the public charge rule? You talk a lot about the intersection of disability, the intersection with disability and immigration. But how have you really dealt with it? Because it's just, it's probably painful and hurtful to so many communities.

CONCHITA: Yeah, it is. And I think part of it is I had to compartmentalize so much growing up, being like, OK, this is school, and this is white people, and this is how you talk, and then this is home. And I think I still do that. I mean, I think in a way it helps. [chuckles] So, I think one of the ways that I deal with it is being active and fighting for change. It's kind of being part of movements that are working for change. And sometimes it's helping to organize something, and sometimes it's like talking to somebody on the phone. 'Cause I think there's so much pressure to be on the streets marching and doing stuff. But I think right now, for me, it looks like different things, depending on what it is. Being able to kind of do some things that work for change and being able to have a network of supportive people who you can just talk shit with! [laughs] Who you can be like, ''Oh, my God! I can't believe this happened.'' And you can just vent and send memes. I think finding joy in all the things. Joy is part of how you heal and how you move on and live, 'cause then you're just fighting oppressive systems that are never going to work in your favor! So, it's, yeah, that's part of it.

[sweet, mellow music break]

ALICE: And I wanna just wrap up our conversation and ask you, what do you think: how can people support undocumented immigrants? What do you think is most helpful right now?

CONCHITA: So, I think the most helpful right now is getting informed about what's happening. I feel like there's always pressure to have comprehensive immigration reform. So, depending on how elections go, that's either off the table or not. And really, I would recommend if people wanna get informed, United We Dream is a really awesome organization, and they are always posting information on how you can sign petitions, how you can support, how you can help. There's constantly people in deportation proceedings. Constantly. And one thing that has helped is getting petitions around it. If somebody is in deportation proceedings and they can build a campaign around them to say, ''No, no, no, the community wants them to stay,'' it has stopped some of them, not all of them. So, being able to be part of that community, to where you can show up and say, ''OK, I'm gonna sign this petition that's literally gonna take me five seconds, but it's going to block somebody's deportation,'' will make a huge difference. So, just be informed. And if you wanna know more, I would suggest United We Dream as an organization to kind of follow.

ALICE: Great. Thank you so much. Is there anything else you'd like to share that I you'd like to talk about or just anything final comments about immigration and disability?

CONCHITA: I think it's just...I really do hope that this year is a transformative year in all of our mindsets. You know, I've heard a lot of negative about like, oh, how this is such a difficult year. And it absolutely is. I've had people close to me pass away to COVID and stuff. But I also think that people are beginning to realize what's actually happening. White people. [chuckles] White, able-bodied people are finally beginning to be informed and understand what's going on. And so, my hope is that this year with the ADA kind of being at the forefront, that we reimagine what that looks like. It's no longer about, do I have the ramp to go into? It still is. We still don't have ramps, and oh, my God, it's horrible. But it's not just do we have a ramp, and can I come into your business? But how can I flourish? How can I be a leader? How can I live my life fully in the way that is best for me without the pressures of capitalism, without the pressures of independence, and without the pressures of living by myself, and without the pressures of all these things? So, reimagining what it can look like for every, all different people in the disability community. And people that aren't part of the disability community, how we can reach out and really transform what the next 30 years look like.

ALICE: I love it! Thank you, Conchita.

CONCHITA: Thank you for having me.

Wrap-up

[hip-hop music]

♪ How far will they go? (oh, yeah yeah)
How far will they go? (oh, yeah yeah)…. ♪

ALICE: This podcast is a production of the *Disability Visibility Project*, an online community dedicated to creating, sharing, and amplifying disability media and culture. All episodes, including text transcripts, are available at DisabilityVisibilityProject.com/Podcast.

You can also find out more about Conchita on my website.

The audio producer for this episode is Geraldine Ah-Sue. Introduction by Lateef McLeod. Theme music by Wheelchair Sports Camp.

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♪ Rocket to the blast off
Stop, drop dance off ♪